

**REMARKS :**

To expedite prosecution, applicants have voluntarily amended claims **1** and **8** to more distinctly identify the invention in terms of a ranking of computer retrievable information. This change is fully supported by the specification at page 6, lines 30-34. As such, no new matter is being entered with these amendments. The amendments unambiguously place the claimed subject matter in a statutory category and bring out the salient differences between the invention and the prior art cited by the Examiner.

Claim rejections

35 U.S.C. §101

The Examiner has rejected claims **1-8** under 35 U.S.C. §101 as being directed to a non-statutory subject matter. The Examiner argues that claim **1** merely recites a computer implemented method processing a mathematical algorithm for determining the rank of a node without any practical application.

Claims **1** and **8** have been amended recite that each node represents a computer-readable document containing information (emphasis added). Furthermore, the probabilities  $p_0$  and  $p_\infty$  are described as being estimates of steady state probabilities that a computer user will arrive at nodes after a large number of forward links.

The requirements for statutory subject matter are set forth in the MPEP at § 2106 at page 2100-16. To summarize the law, MPEP at § 2106 states, *inter alia*, that "[f]or subject matter to be statutory, the claimed process must be limited to a practical application of the abstract idea or mathematical algorithm in the technological arts." (See *Alappat*, 33 F.3d at 1543, 31 USPQ 2d at 1556-57) Such is clearly the case with claims **1** and **8** as they presently stand in the application. Claims **1** and **8** are clearly directed to the practical task of calculating an importance rank for N linked nodes of a linked database. As amended, the practical application recited in claims **1** and **8** is the ranking of computer-readable information.

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35 U.S.C. § 103

The Examiner rejected claims **1-8** under 35 U.S.C. 103(a) as being unpatentable over Gansner et al. (U.S. Patent 4,953,106, issued August 28, 1990).

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In rejecting the claims, the Examiner states that Gansner uses a computer method for drawing directed graphs providing reduced crossings. The Examiner argues that, although Gansner does not specifically use the algorithm recited in the claims, Gansner discloses node ranking to distinguish between nodes of the same rank. The Examiner further argues that the equation in claim **1** is merely a mathematical formula

with no patentability weight. As such, the Examiner concludes that it would have been obvious to use any appropriate algorithm to rank nodes as taught by Gansner depending on design requirements and choice.

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As discussed above with respect to the rejection under 35 U.S.C. 101, the applicants maintain that claims **1** and **8** recite calculating an importance rank for N linked nodes of a linked database with respect to a ranking of computer-readable information. Gansner, by contrast, teaches a computer method for drawing directed graphs. Gansner teaches a technique for drawing directed graphs having reduced crossings and improved picture quality (see abstract). Gansner neither teaches nor suggests ranking N linked nodes from a linked database containing computer-readable information as recited in claims **1** and **8**. Furthermore, in view of the applicants' amendments, claim **1** presently recites statutory subject matter. The equations recited in claim **1** are a part of that statutory subject matter in that the equations are used to accomplish a practical task. Consequently, the equations in claim **1** are entitled to patentable weight.

By the Examiner's own admission, Gansner does not specifically use the algorithm claimed to rank the nodes. Furthermore, the Examiner neither states nor suggests that the claimed algorithm would have been obvious to one of

ordinary skill in the art. As such, a prima facie case of obviousness has not been established since Gansner disclose or suggest all the limitations of claim 1. Therefore, claim 1 should be passed to issue.

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With respect to claim 8, the Examiner has not pointed to any teaching or suggestion in the prior art that each of the backlink nodes be weighted depending upon the total number of links in the backlink node. Gansner does not teach or suggest 10 all the limitations of claim 8 and, therefore, a prima facie case of obviousness has not been established. As such, applicants submit that claim 8, as it presently stands in the application should be passed to issue.

15 Furthermore, the applicants submit that claims 2-7 depend from claim 1 and recite additional features therefor. As such and for at least the reasons stated hereinabove, the applicants submit that these dependent claims are allowable over the cited art.

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#### CONCLUSION

In view of the foregoing arguments, the applicants submit that claims 1-37 are allowable. The applicants kindly 25 request reconsideration of the application and that the Examiner point out the allowable subject matter in the next Office Action.

Respectfully submitted,



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